

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 3 to 11, 14 to 16, and 20-23 are pending.

The Applicants appreciate the Examiner's indication that claims 9 and 15 are allowed and that claims 21 and 22 contain allowable subject matter. The subject matter of claims 21 and 22 has been placed in independent form, thus placing these claims in condition for allowance.

The Applicants and Applicants' representative sincerely appreciate the Examiner's willingness to discuss the application by telephone during the week of March 27. During these conversations, the Examiner indicated that based on a review of the cited prior art, the features being added to claims 1 and 10 appear to overcome the rejections of record. The Examiner noted that further searching and consideration would be required before making any final determination as to patentability of the rejected claims.

Claims 1, 3-8, 10-14, 16, 20 and 23 stand rejected under various combinations or subcombinations of Van Tassel and Enk.

By way of the instant amendment, the rejected claims have been amended to further define the invention. It is respectfully submitted that the amended claims are patentable for at least the reasons set forth below.

Each of the independent claims will be discussed in turn.

Claim 1 has been amended to recite that the insertion tube further comprises an opening at the extreme end of the distal end portion. An example of this feature is illustrated in Fig. 1 as the opening at the extreme end of the insertion tube 10 through which guide rod 5 passes. This feature is clearly not disclosed or suggested by the prior art. It is thus respectfully submitted that amended independent claim 1 and associated dependent claims are clearly patentable.

Claim 10 has been amended to recite an elongated member which projects distally past the extreme end of the distal end portion. An example of this feature is illustrated in Fig. 1 wherein an elongated member in the form of guide rod 5 projects distally past the extreme end of the distal end portion of insertion tube 10. Because this feature is not disclosed or suggested by the prior art, amended claim 10 is patentable.

Claim 11 has been amended to recite that the duct first becomes progressively narrower and then becomes progressively wider. An example of this feature is illustrated in Fig. 9. This feature is not disclosed or suggested by the prior art. In particular, it is noted that Figs. 4, 5, and 10 of Enk, do not disclose or suggest this feature, and therefore amended claim 11 is patentable.

Claim 14 is being amended to recite the above-discussed features of claim 1 and the above-discussed features of claim 10, and is patentable because such features are not disclosed or suggested by the prior art.

Claim 20 has been amended in a manner similar to that of claim 1, and is patentable for similar reasons.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.


The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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